

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

STEVEN CABRAL,

Plaintiff,

v.

STONE CONTAINER
CORPORATION,

Defendant.

C.A. No. 04-CV-11961 MEL

JOINT STATEMENT (LOCAL RULE 16.1(D))

Pursuant to Local Rule 16.1(D), the parties hereby file this Joint Statement.

A. INTRODUCTION

The Plaintiff, Steven Cabral, filed Civil Action No. PLCV2004-01024 in the Plymouth Superior Court on August 18, 2004. The Defendant, Stone Container Corporation, removed the case to the United States District Court for the District of Massachusetts on September 8, 2004 on the grounds that this Court has original jurisdiction because the amount in controversy allegedly exceeds \$75,000 and complete diversity of citizenship exists.

On August 20, 2001 the Plaintiff was employed by System Freight, Inc. as a truck driver. On that date, the Plaintiff alleges that he was moving a trailer owned and packed by the Defendant with wax coated corrugated boxes. The Plaintiff alleges further that when he opened the rear doors of the trailer prior to backing up to the Defendant's warehouse loading dock, the corrugated boxes fell on him and struck his shoulders and back. The Plaintiff alleges that he sustained personal injuries, including a torn rotator cuff and cervical disc herniations.

The Defendant denies any liability to the Plaintiff.

B. PROPOSED AGENDA OF MATTERS TO BE DISCUSSED AT THE SCHEDULING CONFERENCE

Pursuant to Local Rule 15(B)(1), the parties hereby propose the following agenda of matters to be discussed at the Scheduling Conference:

1. The parties' proposed pre-trial schedule; and
2. The Defendant's Motion to Bring in Third-Party Defendants.

The parties will not consent to trial by magistrate judge.

C. PROPOSED PRE-TRIAL SCHEDULE

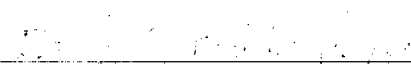
1. All amendments to the pleadings, including third-party complaints, completed by January 1, 2005.
2. Service of all written discovery made by March 28, 2005.
3. Service of all responses to written discovery made by April 28, 2005.
4. All non-expert depositions completed by June 30, 2005.
5. Trial experts and their respective reports disclosed by August 30, 2005.
6. Expert depositions completed by October 31, 2005.
7. Dispositive Motions filed by December 15, 2005.
8. Final Pre-Trial Conference on January 30, 2006.

D. CERTIFICATIONS SIGNED BY COUNSEL AND A REPRESENTATIVE OF EACH PARTY


The parties will provide the Court with Certifications pursuant to Local Rule 16.1(D)(3) at the Scheduling Conference.

The Plaintiff,
STEVEN CABRAL,
By his attorneys,

The Defendant,
STONE CONTAINER CORPORATION,
By its attorneys,



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served by first class mail, postage prepaid, on the following counsel of record:

David C. Rodibaugh, Esq.
Law Offices of Dane M. Shulman
25 Newport Avenue Extension, 1st Floor
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Date:



John R. Felice